ESTTA Tracking number:

ESTTA307030 09/18/2009

Filing date:

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91190597
Party	Defendant The Modellers, LLC
Correspondence Address	RANDALL B. BATEMAN BATEMAN IP LAW GROUP PO BOX 1319 SALT LAKE CITY, UT 84110-1319 UNITED STATES rbb@utah-ip.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Randall B. Bateman
Filer's e-mail	mail@batemanip.com
Signature	/Randall B. Bateman/
Date	09/18/2009
Attachments	3234op-09-17-092ndConsentedMotiontoExtendAnswer.pdf ( 3 pages )(18793 bytes )

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of U.S. Trademark Application Ser. No. 78/845,980

### CONSENTED MOTION TO EXTEND ANSWER PERIOD

Applicant, The Modellers, LLC. ("Applicant" or "The Modellers") respectfully moves this Honorable Board to extend the answer period by 60 days, and requests that all other deadlines be adjusted accordingly.

The parties in the above captioned proceedings have been actively pursuing resolution of this matter through settlement. Petitioner has consented vie email to extend the period to answer while the settlement is being finalize.

For the foregoing reasons, it is hereby requested that the answer period be extended for 60 days until November 16, 2009, and that all subsequent time periods be reset accordingly.

1

Respectfully submitted this 18th day of September, 2009.

# /Randall B. Bateman/ Randall B. Bateman

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Attorneys for Applicant, The Modellers, LLC.

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing CONSENTED MOTION TO EXTEND ANSWER PERIOD and this CERTIFICATE OF SERVICE were served on Opposer by mailing a true copy thereof to its attorney of record, by First Class Mail, postage prepaid this 18<sup>th</sup> day of September, 2009, in an envelope addressed as follows:

Dana Brody-Brown LEWIS AND ROCA LLP 2440 W. El Camino Real, 6th Floor Mountain View, CA 94040-1499

> /Randall B. Bateman/ Randall B. Bateman